

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 991

Introduced by Assembly Member DeVore

February 22, 2005

An act to ~~amend Sections 2021 and 2022 of~~ *add Section 2025.5 to* the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 991, as amended, DeVore. Mosquito abatement and vector control districts.

Existing law provides for the formation of mosquito abatement and vector control districts, provides for the appointment of a board of trustees of at least 5 members, and sets forth their powers and duties. Existing law requires appointment of the members by the county board of supervisors and the city council.

~~This bill would delete the authority of the city council to appoint members,~~ *notwithstanding these provisions, require the board of trustees for the district in the County of Orange to have 7 members, 2 selected by the board of supervisors, and 5 selected by a committee of the board from representatives of the various cities within the territory of the district.*

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 2021 of the Health and Safety Code is~~
2 ~~amended to read:~~

3 ~~SECTION. 1~~ *Section 2025.5 is added to the Health and Safety*
4 ~~Code, to read:~~

5 ~~2025.5. Notwithstanding, any provision of law to the~~
6 ~~contrary, in the County of Orange, the district board of trustees~~
7 ~~shall be composed of seven members selected as follows:~~

8 ~~(a) Two members appointed by the board of supervisors.~~

9 ~~(b) Five members appointed by the City Selection Committee~~
10 ~~of the board from representatives of the various cities within the~~
11 ~~territory of the district. The committee shall ensure that as the~~
12 ~~terms expire for these members, new appointments alternate in a~~
13 ~~manner that ensures that representatives of each of the various~~
14 ~~cities have an opportunity to participate.~~

15 ~~SEC. 2. Due to the unique circumstances concerning the~~
16 ~~mosquito abatement and vector control district in the County of~~
17 ~~Orange, it is necessary that membership of the board of trustees~~
18 ~~be considered separately, and the Legislature finds and declares~~
19 ~~that a general statute cannot be made applicable within the~~
20 ~~meaning of Section 16 of Article IV of the California~~
21 ~~Constitution.~~

22 ~~2021. Within 30 days after the effective date of the formation~~
23 ~~of a district, a board of trustees shall be appointed as follows:~~

24 ~~(a) In the case of a district that contains only unincorporated~~
25 ~~territory in a single county, the board of supervisors shall appoint~~
26 ~~five persons to the board of trustees.~~

27 ~~(b) In the case of a district that is located entirely within a~~
28 ~~single county, the board of supervisors shall appoint a board of~~
29 ~~trustees of five members.~~

30 ~~(c) In the case of a district that contains territory in more than~~
31 ~~one county, the board of supervisors of each county may appoint~~
32 ~~one person to the board of trustees. If those appointments result~~
33 ~~in a board of trustees with less than five persons, the board of~~
34 ~~supervisors of the principal county shall appoint enough~~
35 ~~additional persons to make a board of trustees of five members.~~

36 ~~SEC. 2. Section 2022 of the Health and Safety Code is~~
37 ~~amended to read:~~

1 ~~2022. (a) Each person appointed by a board of supervisors to~~
2 ~~be a member of a board of trustees shall be a voter in that county~~
3 ~~and a resident of that portion of the county that is within the~~
4 ~~district.~~

5 ~~(b)–~~

6 ~~It is the intent of the Legislature that persons appointed to~~
7 ~~boards of trustees have experience, training, and education in~~
8 ~~fields that will assist in the governance of the districts.~~

9 ~~(c) All trustees shall exercise their independent judgment on~~
10 ~~behalf of the interests of the residents, property owners, and the~~
11 ~~public as a whole in furthering the purposes and intent of this~~
12 ~~chapter. The trustees shall represent the interests of the public as~~
13 ~~a whole and not solely the interests of the board of supervisors or~~
14 ~~the city council that appointed them.~~